

Case 10-61487-aer12 Doc 37 Filed 09/30/10
UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re) Case No. _____
)
) NOTICE OF INTENT TO Sell Real or
) Personal Property, Compensate Real Estate
) Broker, and/or Pay any Secured Creditor's Fees
) and Costs; Motion for Authority to Sell Property
) Free and Clear of Liens; and Notice of Hearing
) **[Note: Do not use to sell personally identifiable**
Debtor(s)) **information about individuals!]**

NOTICE IS GIVEN THAT _____, the
_____ (i.e., debtor, trustee, etc.), intends to sell the property described below and moves
for authority to sell said property free and clear of liens pursuant to 11 USC §363(f). The movant's name, address, and
telephone # are: _____.

If you wish to object to any aspect of the sale or fees disclosed in ¶7 or ¶15 you must both: (1) attend the hearing set in ¶16 below and, (2) within 23 days of the later of either (a) the date next to the signature below; or (b) the date in any "Clerk" stamp above, file with the Clerk of Court (i.e., if the 5-digit portion of the Case No. begins with "3" or "4", at 1001 SW 5th Ave. #700, Portland OR 97204; or if it begins with "6" or "7", at 405 E 8th Ave #2600, Eugene OR 97401) both: (a) a written response stating the specific facts upon which the objection is based, and (b) proof that a copy of the response was served on the movant.

This document shall constitute the notice required by LBR 2002-1. (COMPLETE ALL SECTIONS.)

1. The specific subsections of 11 USC §363(f) movant relies upon for authority to sell the property free and clear of liens are:
2. Buyer's Name & Relation to Debtor:
3. General description of the property (NOTE: If real property, state street address here. Also attach legal description as an Exhibit to the original filed with the court):
4. A copy of the full property description or inventory may be examined or obtained at:
5. The property may be previewed at (include time and place):
6. Other parties to the transaction and their relationship to the debtor are:
7. Gross sales price: \$_____. All liens on the property total: \$_____, of which Movant believes a total of \$_____ need not be paid as secured claims (because the lien is invalid, avoidable, etc., the lienholder consents to less than full payment, or part or all of the underlying debt is not allowable). Secured creditor(s) also seek(s) reimbursement of \$_____ for fees and costs. Total sales costs will be: \$_____. All tax consequences have been considered and it presently appears the sale will result in net proceeds to the estate after payment of valid liens, fees, costs and taxes of approximately: \$_____.
8. The sale is is not (**MARK ONE**) of substantially all of the debtor's assets. Terms and conditions of sale:

9. Competing bids must be submitted to the movant no later than (date) _____, and must exceed the above offer by at least _____ (and be on the same or more favorable terms to the estate).

10. Summary of all available information regarding valuation, including any independent appraisals:

11. If ¶7 indicates little or no equity for the estate, the reason for the sale is:

and expenses and taxes resulting from the sale will be paid as follows:

12. (Ch. 11 cases only) The reason for proposing the sale in advance of approval of a plan of reorganization is:

13. The following information relates to lien holders (who are listed in PRIORITY order):

<u>Name</u>	<u>Service Address (See FRBP 7004)</u>	<u>Approximate Lien Amount</u>	<u>Indicate Treatment at Closing (i.e., Fully Pd., Partially Pd., or Not Pd.)</u>
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14. Any liens not fully paid at closing shall attach to the sale proceeds in the same order of priority they attach to the property. Any proceeds remaining after paying liens, expenses, taxes, commissions, fees, costs or other charges as provided in this motion, shall be held in trust until the court orders payment.

15. [If real property] The court appointed real estate broker, _____, will be paid _____.

16. A HEARING ON THIS MOTION AND ANY OBJECTIONS TO THE SALE AND/OR FEES WILL BE HELD

ON _____ AT _____ IN _____ and testimony will be received if offered and admissible.

17. [Unless movant is a Ch. 7 trustee] I certify that on _____ a copy of this document was served, pursuant to FRBP 7004, on the debtor(s), trustee, if any, U.S. Trustee, each named lien holder at the address listed above, Creditors' Committee Chairperson, if any, and their respective attorneys; and that a copy was also served that date, pursuant to FRBP 2002(a), on all creditors and parties requesting special notice as listed in the Court's records that were obtained on _____, a copy of which is attached to the original document filed with the Bankruptcy Court.

18. FOR FURTHER INFORMATION CONTACT: _____

DATE: _____

Signature & Relation to Movant

(If debtor is movant) Debtor's Address & Taxpayer ID#(s) (last 4 digits)

That part of the Henry V. Clymer Donation Land Claim No. 50, in Township 11 South, Range 2 West of the Willamette Meridian, in Linn County, Oregon, described as follows: Beginning on the East line of said claim, North 0°09' East, 477 feet from the Southeast corner of said claim; thence North 0°09' East, 979.25 feet; thence West 2019.92 feet to the centerline of the Santiam Highway; thence South 15°13' East, along the center of said highway to a point that is North 89°55' West from the point of beginning; thence South 89°55' East, 1720.52 feet to the point of beginning. **SUBJECT TO** the rights of the public in and to that portion of the above property lying within the limits of public roads and highways.

Label Matrix for local noticing
0979-6
Case 10-61487-aer12
District of Oregon
Eugene
Wed Sep 22 13:32:06 PDT 2010

Recovery Management Systems Corp
25 SE 2nd Avenue, Suite 1120
Miami, FL 33131-1605

Bank of America - cert. mail
c/o Brian Moynihan, President
P.O. Box 24245
Seattle, WA 98124-0245

Eric Holder, US Attorney General
950 Pennsylvania Ave NW
Washington, DC 20530-0009

Fisher Implement
POB 376
Woodburn, OR 97071-0376

ODR
Attn: Bankruptcy Unit
955 Center St NE
Salem, OR 97301-2553

Recovery Management Systems Corporation
25 S.E. 2nd Avenue, Suite 1120
Miami, FL 33131-1605

Wells Fargo
POB 30086
Los Angeles, CA 90030-0086

KEITH D KARNES
POB 12829
SALEM, OR 97309-0829

Office of General Counsel
1220 SW 3rd Ave #1734
Portland, OR 97204-2823

405 E 8th Ave #2600
Eugene, OR 97401-2725

Churchill Leonard LLP
435 Commerical St NE
Suite 201
Salem, OR 97301-3419

FSA
33630 McFarland Rd
Tangent, OR 97389-9627

(p)INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 21126
PHILADELPHIA PA 19114-0326

ODR Bkcy
955 Center St NE
Salem OR 97301-2553

US Dept of Agriculture
c/o Tom Vilsack, Sec. of Agriculture
1400 Independence Ave SW
Washington, DC 20250-0003

Wilbur-Ellis Company
1101 N Argonne Rd #213
Spokane Valley, WA 99212-2699

Virginia Andrews Burdette
Chapter 12 Trustee
600 Stewart #620
Seattle, WA 98101-1261

Oregon State FSA Office
7620 SW Mohawk
Tualatin, OR 97062-8121

BAC Home Loans Servicing LP fka Countrywide
7105 Corporate Drive
Mail Stop: TX2-982-03-03
Plano, TX 75024-4100

Country Heritage Farms
POB 323
Dayton, OR 97114-0323

Farm Service Agency
33630 McFarland Rd
Tangent OR 97389-9627

Kelly Green Nursery
Drain, OR 97435

Pamela J Griffith, US Attorney
620 SW Main St, Rm 213
Portland, OR 97205-3026

US Trustee, Eugene
405 E 8th Ave #1100
Eugene, OR 97401-2728

James Franklin Antrim
POB 280
Lebanon, OR 97355-0280

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

IRS
Centralized Insolvency Oper.
PO Box 21126
Philadelphia, PA 19114-0326

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)BAC Home Loans Servicing, LP

End of Label Matrix	
Mailable recipients	25
Bypassed recipients	1
Total	26

10-61487-aer12 James Franklin Antrim**Case type: bk Chapter: 12 Asset: Yes Vol: v Judge: Albert E. Radcliffe****Date filed: 03/23/2010 Date of last filing: 09/09/2010**

Parties

James Franklin Antrim

POB 280

Lebanon, OR 97355

SSN / ITIN: xxx-xx-1908

*Added: 03/23/2010**(Debtor)***BAC Home Loans Servicing, LP***Added: 04/23/2010**(Creditor)***Virginia Andrews Burdette**

Chapter 12 Trustee

600 Stewart #620

Seattle, WA 98101

206-441-0203

vlaburdette@seanet.com

*Added: 06/01/2010**(Trustee)***Brian Lynch**

Chapter 12 Trustee

1300 SW 5th Ave Dept12

Portland, OR 97201

(503) 972-6300

c0urtmail@portland13.com

*Added: 03/23/2010**TERMINATED: 06/01/2010**(Trustee)***Office of General Counsel**

1220 SW 3rd Ave #1734

Portland, OR 97204

*Added: 04/22/2010**(Interested Party)***Oregon State FSA Office**

7620 SW Mohawk

Tualatin, OR 97062-8121

KEITH D KARNES

POB 12829

SALEM, OR 97309

represented by (503) 362-9393

kkarnes@olsendaines.com

*Assigned: 03/23/10**LEAD ATTORNEY***JAMES K MIERSMA**

13555 SE 36th St., Suite 300

represented by Bellevue, WA 98006

(425) 586-1948

ecfor@rcflegal.com

*Assigned: 04/23/10***HOLLY R McLEAN**

1220 SW 3rd Ave #1734

Portland, OR 97204

Added: 04/22/2010
(Interested Party)

(503) 326-3664
represented by holly.mclean@usda.gov
Assigned: 08/12/10

TIM SIMMONS
405 E 8th Ave #2400
Eugene, OR 97401
(541) 465-6740
tim.simmons@usdoj.gov
Assigned: 05/20/10

Recovery Management Systems Corp

25 SE 2nd Avenue, Suite 1120
Miami, FL 33131
305-379-7674
claims@recoverycorp.com
Added: 05/05/2010
(Creditor)

US Trustee, Eugene
405 E 8th Ave #1100
Eugene, OR 97401-2706
(541) 465-6330
USTPRegion18.EG.ECF@usdoj.gov
Added: 03/23/2010
(U.S. Trustee)

PACER Service Center			
Transaction Receipt			
09/22/2010 11:24:26			
PACER Login:	eo0004	Client Code:	
Description:	Party List	Search Criteria:	10-61487-aer12
Billable Pages:	1	Cost:	0.08